



# House of Representatives

General Assembly

**File No. 462**

*January Session, 2001*

Substitute House Bill No. 6611

*House of Representatives, April 25, 2001*

The Committee on Public Health reported through REP. EBERLE of the 15th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING FORENSIC CLIENTS PLACED WITH THE DEPARTMENT OF MENTAL RETARDATION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (a) As used in this section:

2 (1) "Forensic client" means any person who (A) has been convicted,  
3 or found not guilty by reason of mental disease or defect, of any  
4 criminal offense involving violence or sexual assault or abuse, or has a  
5 history of violent behavior or sexual assault, and (B) has been placed in  
6 a residential facility operated or funded by the department after  
7 release from custody or incarceration or as an alternative to  
8 incarceration;

9 (2) "Commissioner" means the Commissioner of Mental Retardation;  
10 and

11 (3) "Department" means the Department of Mental Retardation.

12 (b) The commissioner shall adopt regulations, in accordance with  
13 chapter 54 of the general statutes, to establish and implement the  
14 policy of the department with respect to the placement and care of  
15 forensic clients. Such regulations shall include, but not be limited to,  
16 provisions concerning: (1) The siting of residential facilities for forensic  
17 clients; (2) the evaluation and placement of forensic clients; (3) notice  
18 to the surrounding community of any such placement; (4) appropriate  
19 levels of security and supervision of forensic clients; and (5) the care  
20 and quality of life of forensic clients.

21 Sec. 2. The Commissioner of Mental Retardation shall evaluate the  
22 feasibility and appropriateness of the use of any state-owned property,  
23 including, but not limited to, a portion of the grounds of the Southbury  
24 Training School and the Mansfield Training School, for a facility for the  
25 placement of forensic clients of the department. Not later than  
26 February 1, 2002, the commissioner shall submit a report containing  
27 the commissioner's findings and recommendations to the joint  
28 standing committee of the General Assembly having cognizance of  
29 matters relating to public health, in accordance with the provisions of  
30 section 11-4a of the general statutes.

31 Sec. 3. This act shall take effect from its passage.

**PH**            *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** Potential Cost

**Affected Agencies:** Department of Mental Retardation

**Municipal Impact:** None

**Explanation****State Impact:**

The Department of Mental Retardation (DMR) may incur one-time costs of \$50,000 - \$100,000 in order to evaluate the feasibility and appropriateness of the use of any state-owned property for the placement of forensic clients. Outside consulting services may be needed in order to complete the required evaluation. sHB 6668 (the FY 02 - FY 03 Appropriations Act, as favorably reported by the Appropriations Committee) does not include additional funding for consulting services to perform such a study. It should be noted that currently there is no funding specifically earmarked for a new facility nor does sHB 6668 include funding for additional clients coming out of the correctional, mental health or judicial facilities in FY 02 and FY 03.

This bill requires the department to adopt regulations, which it will be able to do so within the available resources.

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**OLR BILL ANALYSIS**

sHB 6611

***AN ACT CONCERNING FORENSIC CLIENTS PLACED WITH THE  
DEPARTMENT OF MENTAL RETARDATION.***

**SUMMARY:**

This bill requires the Department of Mental Retardation (DMR) to adopt regulations establishing and implementing its policy concerning the placement and care of forensic clients. The regulations must address (1) the siting of residential facilities for forensic clients, (2) their evaluation and placement, (3) notice to surrounding communities of such placements, (4) appropriate security and supervision levels, and (5) client care and quality of life.

The bill defines "forensic client" as a person who (1) has been convicted or found not guilty by reason of mental disease or defect of any crime involving violence or sexual assault, or has a history of violent behavior or sexual assault, and (2) has been placed in a residential facility operated or funded by DMR after release from custody or incarceration or as an alternative to incarceration.

The bill also requires DMR to evaluate if it is feasible and appropriate to place forensic clients on any state-owned property including a portion of the grounds of Southbury and Mansfield Training Schools. DMR must report its findings and recommendations to the Public Health Committee by February 1, 2002.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Public Health Committee

Joint Favorable Substitute

Yea 25      Nay 0

